

**HUNTINGTON BEACH
OFFICE OF THE ZONING ADMINISTRATOR
EXECUTIVE SUMMARY**

TO: Zoning Administrator
FROM: Tess Nguyen, Associate Planner
DATE: November 2, 2010
SUBJECT: **CONDITIONAL USE PERMIT NO. 11-020 (DOGGY DAY CARE)**
LOCATION: 15392 Assembly Lane, Suite A, 92649 (east side of Assembly Lane, north of McFadden Avenue)

Applicant: Sherri Loomer, 15931 Willett Lane, Huntington Beach, CA 92647
Property Owner: Bill Schopp, 15392 Assembly Lane, Unit A, Huntington Beach, CA 92649
Request: To permit the establishment of a 2,975 sq. ft. animal boarding facility consisting of day and overnight care services within an existing industrial building.
Environmental Status: This request is covered by Categorical Exemption, Section 15301, Class 1, California Environmental Quality Act.
Zone: IL (Industrial Limited)
General Plan: I - F2-D (Industrial – 0.50 Floor Area Ratio – Design Overlay)
Existing Use: Industrial Building

RECOMMENDATION: Staff recommends approval of the proposed project based upon the following findings:

SUGGESTED FINDINGS FOR PROJECTS EXEMPT FROM CEQA:

The Zoning Administrator finds that the project will not have any significant effect on the environment and is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to section 15301 of the CEQA Guidelines, because the project consists of the operation and minor alteration of an existing industrial structure involving negligible or no expansion of use beyond that previously existing.

SUGGESTED FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 11-020:

1. Conditional Use Permit No. 11-020 for the establishment of a 2,975 sq. ft. animal boarding facility consisting of day and overnight care services within an existing industrial building will not be detrimental to the general welfare of persons working or residing in the vicinity or detrimental to the value of the property and improvements in the neighborhood. The proposed use will not generate traffic or other impacts detrimental to surrounding properties and inconsistent with the adjacent property's industrial zoning. The project site will be separated from nearby residential developments to the east by a distance of approximately 1,000 ft., which provides an adequate buffer from potential negative impacts associated with the use. A covenant restricting the occupancy of future uses within other suites of the building will be required as condition of approval to ensure that adequate onsite parking is provided to accommodate the animal boarding facility.
2. The conditional use permit will be compatible with surrounding uses because the animal boarding facility will be located within an existing industrial building surrounded by industrial uses such as manufacturing and storage uses. The proposed use will be located in a fully enclosed suite located approximately 1,000 ft. from the nearest sensitive land use (i.e. residential), thereby limiting any associated detrimental impacts with the use and ensuring compatibility with the surrounding area.
3. The proposed conditional use permit will comply with the provisions of the base district and other applicable provisions in Titles 20-25 of the Huntington Beach Zoning and Subdivision Ordinance (HBZSO) and any specific condition required for the proposed use in the district in which it would be located. Animal boarding facilities are permitted in the IL (Industrial Limited) zone, subject to the approval of conditional use permit. The project is located within an existing industrial building and will not alter existing landscaping, setbacks or overall building height. In addition, a covenant restricting future uses within the other suites of the building is required as a condition of approval to ensure that adequate onsite parking is provided to accommodate the use.
4. The granting of the conditional use permit will not adversely affect the General Plan. It is consistent with the Land Use Element designation of Industrial on the subject property. In addition, it is consistent with the following goal and policies of the General Plan:

Policy LU 7.1.1: Accommodate existing uses and new development in accordance with the Land Use and Density Schedules.

Goal LU 12: Achieve the development of industrial uses that provide job opportunities for existing and future residents, as well as the surrounding subregion, and generate revenues for the City.

Policy LU 12.1.1: Accommodate the continuation of existing and development of new manufacturing, research and development, professional offices, supporting retail commercial (including, but not limited to, sales areas for manufacturers and photocopy stores), restaurants, financial institutions, and similar uses in areas designated on the Land Use Plan Map in accordance with Policy LU 7.1.1.

The requested conditional use permit will accommodate new development by allowing the establishment of an animal boarding facility. The proposed use will provide new job opportunities for existing and future residents, including those located within the surrounding region. The proposed use will be located in an existing industrial building, which includes manufacturing and storage uses consistent with the Land Use and Density Schedules in the General Plan.

SUGGESTED CONDITIONS OF APPROVAL - CONDITIONAL USE PERMIT NO. 11-020:

1. The site plan, floor plans, and elevations received and dated September 1, 2011 shall be the conceptually approved design.
2. The Certificate of Occupancy cannot be issued and the proposed animal boarding facility cannot be occupied until the following has been completed:
 - a. The property owner shall sign, notarize, and record with the County Recorder a covenant agreement restricting the use of suites "C" and "D" to warehouse/storage uses.
 - b. A copy of the recorded Covenant shall be provided to the Planning Division for inclusion in the entitlement file.
3. All activities associated with the proposed use shall be conducted entirely indoors.
4. Conditional Use Permit No. 11-020 shall become null and void unless exercised within two years of the date of final approval or such extension of time as may be granted by the Director pursuant to a written request submitted to the Planning and Building Department a minimum 30 days prior to the expiration date.
5. Incorporating sustainable or "green" building practices into the design of the proposed structures and associated site improvements is highly encouraged. Sustainable building practices may include (but are not limited to) those recommended by the U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED) Program certification (<http://www.usgbc.org/DisplayPage.aspx?CategoryID=19>) or Build It Green's Green Building Guidelines and Rating Systems (<http://www.builditgreen.org/green-building-guidelines-rating>).

INDEMNIFICATION AND HOLD HARMLESS CONDITION:

The owner of the property which is the subject of this project and the project applicant if different from the property owner, and each of their heirs, successors and assigns, shall defend, indemnify and hold harmless the City of Huntington Beach and its agents, officers, and employees from any claim, action or proceedings, liability cost, including attorney's fees and costs against the City or its agents, officers or employees, to attack, set aside, void or annul any approval of the City, including but not limited to any approval granted by the City Council, Planning Commission, or Design Review Board concerning this project. The City shall promptly notify the applicant of any claim, action or proceeding and should cooperate fully in the defense thereof.